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children as a prerequisite to their attending the public schools is unreasonable where smallpox does not exist in the community, and there is no reasonable cause to apprehend its appearance. The power to compel the vaccination of children is derived from the general police power of the State, and can only be justified as a necessary means for preserving health.

RAILROADS—CONTRIBUTORY NEGLIGENCE—SAN ANTONIO & A. P. RY. CO. v. GREEN, 49 S. W. 670 (Tex.).—Plaintiff, while running to a fire, found the street blocked by a railway train, not then in motion. He was climbing over the train, when it started and he was injured. Other people were climbing the train at the same time. *Held*, he was not guilty of contributory negligence.

SERVANTS—WHO ARE FELLOW SERVANTS—C. & A. RY. CO. v. SWAN, 52 N. E. Rep. 916 (Ill.).—*Held*, that a baggageman on the train was not a fellow servant of the engineer on the same train.

SUIT AGAINST A STATE—GROSS v. KENTUCKY BOARD OF MANAGERS OF WORLD'S COLUMBIAN EXPOSITION, 49 S. W. 458 (Ky.).—The State of Kentucky created a Board of Managers to provide for the representation of the State at the World's Fair. These managers were to be appointed by the Governor, and the money they were to use was State money and the proceeds of the renting of part of a building erected with this State money. The board had power to make contracts, but were not personally interested in the business. *Held*, that the board was a quasi-corporation and could be sued. Paynter and Guffy, J. J., dissented on the ground that this was a suit against the State.

TRADE NAME—INJUNCTION—AMERICAN WALTHAM WATCH CO. v. UNITED STATES WATCH CO., 53 N. E. Rep. 141 (Mass.).—*Held*, that where a manufacturer of watches in the city of Waltham had acquired a great reputation, and had used the word "Waltham" originally in a mere geographical sense in connection with his watches, but such word had, by long use, come to have a secondary meaning, as a designation of the watches which the public had been accustomed to associate with the name, another person beginning the manufacture of watches a long time thereafter would be enjoined against using the words "Waltham" or "Waltham, Mass.," upon plates of its watches, without some statement distinguishing them from watches made by plaintiff.